

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

HENRY LAMBOY, A/K/A/ Carlos Rivera,

Plaintiff,
vs
OFFICER LAYHEE; OFFICER SHERMAN;
and D. MALONEY,
Defendants.

9:04-CV-205

APPEARANCES:

HENRY LAMBOY
Plaintiff, Pro Se
Apt. 1, No. 2
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Bronx, NY 10452

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United States Attorney
Attorney for Defendants
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100 South Clinton Street
Syracuse, New York 13261-5165

DAVID N. HURD
United States District Judge

OF COUNSEL:

BARBARA D. COTTRELL, ESQ.
Assistant U.S. Attorney

ORDER

Plaintiff brought this civil rights action pursuant to 28 U.S.C. § 1331. By Report-Recommendation dated February 10, 2006, the Honorable David E. Peebles, United States Magistrate Judge, recommended that plaintiff's complaint in this action be dismissed. No objections to the Report-Recommendation have been filed.

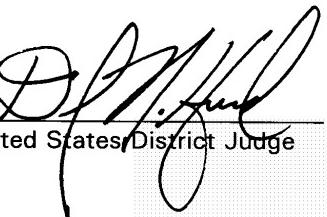
Based upon a careful review of the entire file and the recommendations of Magistrate Judge Peebles, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that the complaint in this action is DISMISSED.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.



United States District Judge

Dated: March 28, 2006
Utica, New York.